

California Victim Compensation and Government Claims Board

Open Meeting Minutes

December 13, 2007, Board Meeting

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of the Chair, Rosario Marin, Secretary, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Thursday, December 13, 2007, at 10:03 a.m. Also present was Board member Les Kleinberg, Deputy Controller, acting for and in the absence of John Chiang, Controller.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; and Garry Ness, Chief Counsel. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Chairperson Marin presented Dennis Boydston, Deputy Executive Officer, Administration Division, with a congratulatory letter from the Board in honor of his 27 years of exemplary public service to the State of California. Mr. Boydston also received resolutions from Senator Aanstad's Office and the Secretary of State's Office.

Item 1. Minutes of the October 16, 2007, Board Meeting

Chairperson Marin and Board member Les Kleinberg voted to adopt the minutes of the October 16, 2007, Board meeting.

Item 2. Public Comment

The Board opened the meeting for public comment. No public comment was offered.

CaRES Award

VCGCB CaRES Information Technology Section staff and Program staff were recognized with an award given by the Center for Digital Government as one of the outstanding IT projects serving multiple jurisdictions.

Item 3. Executive Officer's Statement

The Executive Officer reported 2007 was a year of change for the VCGCB that included the following accomplishments:

- Relocation to a new facility at a lower rent.
- Implementation of a Government Claims pilot consent agenda.
- To better assist victims, the VCGCB:
 - added four new Criminal Restitution Compact counties;
 - reduced appeal hearing inventory;
 - established a new county advocate liaison position;
 - installed an advocate "800" number for advocates;
 - rolled out CaRES to the 21 local Joint Powers counties;
 - established a scanning facility;
 - developed new "Live Cycle" application;
 - launched an electronic interface with the State Controller's Office;
 - offered a variety of training opportunities such as management training courses, teambuilding training, and leadership training;

- refreshed the website with more information; and
- implemented an awareness campaign to educate the public about the Victim Compensation Program.

The new DVD "Helping Victims Every Day" produced by Board staff was viewed at the meeting. The DVD is part of the Awareness Campaign and our efforts to let people know about California's Victim Compensation Program.

Item 4. Contract Report

Informational item.

Item 5. Conflict of Interest Code

Garry Ness, Chief Counsel, presented the Conflict of Interest Code to the Board. The Board voted to approve the proposed amendments to the Conflict of Interest Code.

Government Claims Program

Item 6. Consent Agenda (Nos. 1- 642)

The Board voted to adopt the staff recommendations for numbers 1-642 with the exception of numbers 123, 148, 218, 225, and 631.

Item numbers 126 and 174 were pulled from the consent agenda at the request of the claimants to address the Board.

Consent Agenda Item 126

Andreana Jappa appeared in regard to claim number G564791, item number 126 on the consent agenda, with a recommendation to deny. Ms. Jappa provided information on why she believed her claim should be allowed; however, the Board voted to deny the claim.

Consent Agenda Item 174

Miguel Becerra appeared in regard to claim number G568587, item number 174 on the consent agenda, with a recommendation to deny. Mr. Becerra appeared with the assistance of a Spanish-speaking interpreter. Lieutenant Deb Schroder appeared on behalf of the California Highway Patrol. The Board voted to deny the claim.

Item 7. Golden Express Moving & Storage, Inc.

G567612

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$95,000.00 to be paid under authority of Government Code section 965 (agency pay).

Item 8. Novell Corporation

G568939

Gretchen Brigaman appeared on behalf of the Department of Transportation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$92,987.09 to be paid under authority of Government Code section 965 (agency pay).

Item 9. Regents of the University of California, San Francisco

G559120

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$64,586.16 to be paid under authority of Government Code section 965 (agency pay).

Item 10. Safety Kleen Systems, Inc.

G567322

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$287,864.48 to be paid under authority of Government Code section 965 (agency pay).

Item 11. Bob Kaufman

G568347

Claimant Bob Kaufman appeared. Jeannie Rendall appeared on behalf of the Department of Motor Vehicles.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$1,817.25 to be paid under authority of Government Code section 965 (agency pay).

Item 12. Westminster Police Department

G566347 and G566348

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$6,145.56 to be paid under authority of Government Code section 13928 (legislative pay).

Item 13. Connie A. Carroll

G568002

Claimant Connie A. Carroll appeared. Bryan Bruno appeared on behalf of the Department of Personnel Administration.

The Board voted to allow the claim in an amount to be calculated at a rate of 36 months of overpayments in accordance with previous state regulations less six months claimant has previously been reimbursed.

Item 14. Hearn Pacific Corporation

G570021

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$555,508.17 to be paid under authority of Government Code section 13928 (legislative pay).

Item 15. Computing System Innovations

Request for Quote ITS No. 07-016

The Board voted to adopt the staff recommendation to deny the protest.

Item 16. NetResult, LLC

Request for Proposal No. 4260-188

The Board voted to adopt the staff recommendation to deny the protest.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 11:30 a.m.

Consent Agenda (Nos. 1- 11)

The Board voted to adopt the staff recommendations.

Requests for Reconsideration

Recommendations: Deny (Nos. 12-43)

The Board voted to adopt the staff recommendations for numbers 12-43 with the exception of number 19, which was pulled.

Reconsideration Following Board Action on a Proposed Decision

Recommendation: Allow (No. 44)

The Board voted to adopt the staff recommendation.

Reconsiderations Following Board Action on a Proposed Decision

Recommendations: Deny (Nos. 45-49)

The Board voted to adopt the staff recommendations.

Proposed Decisions Following Failure to Respond (Nos. 50- 52)

The Board voted to adopt the proposed decisions.

Proposed Decisions Following Failure to Appear (Nos. 53- 79)

The Board voted to adopt the proposed decisions.

Appearances by Claimants Regarding Proposed Decisions

Mary S., proposed decision number 82, claim number 722746.

Elizabeth B., proposed decision number 81, claim number 645372.

Closed Session

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 11:53 a.m. to deliberate on the proposed decisions, numbers 80-140.

The Board reconvened into open session at 12:05 p.m.

Open Session

The Board voted to adopt the proposed decisions for numbers 80-140 with the exception of numbers 107 and 120, which were held over at the request of the Board.

Adjournment

The Board meeting adjourned at 12:05 p.m.

Karen McGagin
Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of January 17, 2008, at Sacramento, California.

Date: January 17, 2008 By: _____

Board Liaison

(Affix Seal here)